

**CIVIL DOCKET**  
**UNITED STATES DISTRICT COURT**

**Jury demand date:** Plaintiff 11-14-75

D. C. Form No. 106A Rev.

TITLE OF CASE			ATTORNEYS			
<p>JAMES M. PHILLIPS</p> <p>vs.</p> <p>CASPER WEINBERGER, SECRETARY OF HEALTH, EDUCATION AND WELFARE.</p>			<p>For plaintiff:</p> <p>Charles H. Froeb 813 Thurston National Bldg. Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>Nathan G. Graham, U. S. Atty. Robt. P. Santee, Asst. U. S. Atty.</p>			
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-74 11-1-75 reappeared	Clerk		3-4-74 3-7-74	Froeb C. D. #34	1500	15 00
J.S. 6 mailed 6-1-74 4-1-76	Marshal					
Basis of Action: Social Security Act.	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-4-74	1. COMPLAINT filed, SUMMONS issued.jj	
3-5-74	Summons, ret. & filed: served U.S. Dist. Attorney, Tulsa, Ok., served Casper Weinberger, Secy of HEW and the Attorney General in Wash. D. C. by certified mail, 3-5-74. (USM \$3.00)g	
5-6-74	2. Motion of Deft. to Remand, filed with brief in support. v	
5-9-74	3. Order, filed/ <sup>and entered</sup> that Mtn. to Remand filed by Deft. is hereby granted. (FD-J)jj <i>copies as ordered</i>	
10-6-75	4. Plaintiff's Motion to Reinstate and Revive Cause of Action, filed.k	
10-6-75	5. Plaintiff's Brief in support of motion to reinstate, filed.k	
10-15-75	6. Ltr. from Judge Daugherty directing deft. to respond within 10 days from 10-13-75 to pltf's mot. to reinstate, filed. g	
10-22-75	7. Response of Deft., Secy. of HEW, filed.jj	
10-28-75	MO: It is ordered by the Court that plaintiff's motion to reinstate and revive cause of action is granted, the defendant not opposing the same. The Defendant will answer the Complaint within 60 days from the date hereof. (FD-J)rm - letter written with Certification.	
10-28-75	8. ANSWER of deft. Secy. HEW, filed/jj	
11-14	9. Pltf's Request for JURY Trial, filed. lm	
12-2	10. Order, for Jury Trial <u>stricken</u> without prejudice for failure to comply w/Local Rule 13, filed.(FD-J)tc <i>cps sent</i>	
12-10	MO: Case set for pre-trial conf. for Tues., 1/20/76 at 1 p.m.(FD-J)rm notices	
1-13-76	MO: It is ordered by the Ct. that pt conf. set for 1/20/76 before the Ct. is hereby stricken and parties directed to hold pt between themselves, to be initiated by counsel for pltf., without presence of the Judge; that on or before 1/20/76, parties are to present to the Judge a proposed pt order; that within 20 days from this date, pltf. is to file a brief on issues in this case, def. is granted 20 days thereafter to respond.(FD-J)rm-letter	
1-23-76	11 Pretrial order, filed. (FD-J)ph cps. mld	
2-3-76	12 Pretrial brief of Pltf., filed.t	
2-10	13. Memorandum Brief, filed by Govt. v	
3-23	14. Memorandum Opinion, filed and entered. (FD-J)rm-copies mailed	
3-23	15. Judgment, filed and entered, that final decision of Sec. of HEW should be and hereby is affirmed.(FD-J)rm-copies mailed	